

REMARKS-General

1. The applicant acknowledges the allowability of claims 34, 36, 39 and 44. The amended independent claim 34 incorporates all structural limitations of the original claim 33 and includes further limitations previously brought forth in the original allowable claim 34, including any intervening claims. No new matter has been included. All claims 34, 36, 39 and 44 are submitted to be of sufficient clarity and detail to enable a person of average skill in the art to make and use the instant invention, so as to be pursuant to 35 USC 112.

2. With regard to the rejection of record based on prior art, Applicant will advance arguments to illustrate the manner in which the invention defined by the newly introduced claims is patentably distinguishable from the prior art of record. Reconsideration of the present application is requested.

Response to Rejection of Claims 33 under Obviousness Double Patenting

3. The applicant submits a terminal disclaimer herewith, in compliance with 37CFR1.321(c), to disclaim the terminal part of the statutory term of any patent granted on instant application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,715,900, in order to overcome the rejection of claim 33 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 4-5 of the U.S. Patent No. 6,715,900.

The Cited but Non-Applied References

4. The cited but not relied upon references have been studied and are greatly appreciated, but are deemed to be less relevant than the relied upon references.

5. A check in an amount of US\$65.00 is submitted herewith to pay the terminal disclaimer. This amount is believed to be correct. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 502111.

6. In view of the above, it is submitted that the claims are in condition for allowance. Reconsideration and withdrawal of the rejection are requested. Allowance of claims 34, 36, 39 and 44 at an early date is solicited.

7. Should the examiner believes that anything further is needed in order to place the application in condition for allowance, he is requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that this corresponding is being deposited with the United States Postal Service by First Class Mail, with sufficient postage, in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on the date below.

Date: 02/06/2008

Signature: 
Person Signing: Raymond Y. Chan